

Message Text

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P R 061746Z JUN 78
FM AMEMBASSY PARIS
TO SECSTATE WASHDC PRIORITY 2754
INFO AMEMBASSY ROME PRIORITY
AMEMBASSY VALLETTA PRIORITY
AMEMBASSY ALGIERS
AMEMBASSY BONN
AMEMBASSY TRIPOLI
USMISSION USNATO
AMEMBASSY COPENHAGEN
AMEMBASSY LONDON
USDOCOSOUTH NAPLES
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C O N F I D E N T I A L SECTION 01 OF 04 PARIS 17993

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E.O. 11652: GDS
TAGS: PGOV, MT, IT, FR
SUBJECT: JOINT TALKS ON MALTA NEUTRALITY GUARANTEE

REF: A) ROME 9839, B) VALLETTA 1475, C) VALLETTA 1586

1. SUMMARY: QUAI DEPUTY DIRECTOR FOR EUROPE HAS
SHOWN EMBOFF IN CONFIDENCE TEXTS OF MALTESE AND
"GUARANTORS" DECLARATIONS WORKED OUT AT THE MAY 18-19
MEETING IN ROME, AND HAS PROVIDED INSIGHTS INTO NEGO-
TIATION FROM FRENCH PERSPECTIVE. PURPOSE WAS EVIDENTLY
TO TRY TO AROUSE OUR INTEREST IN "RETHINKING" US POSI-
TION ON FUTURE ECONOMIC AID TO MALTA WHICH EMBOFF RE-
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ITERATED. HOWEVER, NO OVERT PITCH WAS MADE. END
SUMMART.

2. QUAI DEPUTY DIRECTOR FOR EUROPEAN AFFAIRS, FRANCOIS
PLAISANT, HAS GIVEN EMBOFF RUNDOWN OF MAY 18-19 FRENCH-
ITALIAN-MALTESE TALKS IN ROME AT WHICH PLAISANT
WAS SENIOR FRENCH REPRESENTATIVE. IN COURSE CONVERSA-

TION, PLAISANT PERMITTED EMBOFF, IN CONFIDENCE, TO READ AND TAKE PARTIAL NOTES ON TWO TEXTS WHICH WERE NEGOTIATED. PLAISANT SAID HE DID NOT YET HAVE AUTHORITY TO GIVE US COPIES AND REQUESTED MALTESE AND ITALIANS NOT REPEAT NOT BE TOLD THAT HE HAD SHOWN US TEXTS.

3. PLAISANT OPENED BY SAYING THAT RESUMPTION OF FRENCH-ITALIAN TALKS WITH THE MALTESE, AFTER MONTHS OF SOMNOLENCE, WAS RESULT OF DISCREET MALTESE SIGNAL AROUND MARCH 15 THAT MINTOFF WAS WILLING TO TALK TURKEY. THE SUBSEQUENT ROUNDS OF TALKS, OF WHICH THE MAY 18-19 WAS THE SECOND FORMAL ROUND, WERE MARKED BY, WHAT PLAISANT CALLED, THE "USUAL MALTESE THEATRE" AND WERE FURTHER COMPLICATED BY EXCESSIVE ITALIAN "LEGALISM." IN FACT, IT WAS NOT REALLY CLEAR UNTIL THE END OF THE LAST DAY OF THE TALKS ON MAY 19 WHETHER OR NOT ANY AGREEMENT WOULD BE REACHED. PLAISANT FEELS THAT THE DETACHED, UNEMOTIONAL FRENCH APPROACH THROUGHOUT CONTRIBUTED TO THE RESULTS -- WHICH QUAI NOW VIEWS AS "QUITE SATISFACTORY."

4. THE MAIN ACHIEVEMENT, IN PLAISANT'S VI, IS THAT MINTOFF HAS HAD TO COMMIT HIMSELF TO THE POLITICAL AND LEGAL MEANING OF A "NEUTRALIZED" MALTA. WHILE TEXTS ARE STILL AD REFERENDUM, THEY HAVE SUFFICIENT STATUS THAT THEY NOW DEFINE THE NEXT STAGE IN THE RELATIONSHIP

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WITH MINTOFF; AND, AS PLAISANT PUT IT, SHOULD THEREFORE MAKE IT EASIER AND "MORE INTERESTING" FOR OTHER STATES TO DECIDE WHETHER OR NOT THEY WISH TO RECIPROCATATE BY SIGNING THE PROPOSED "GUARANTEES" AND/OR MAKING ECONOMIC CONTRIBUTIONS.

5. EVENTUAL MALTESE SIGNATURE OF ITS TEXT, PLAISANT ADMITTED FRANKLY, REMAINED CONTINGENT ON RECEIPT OF SUFFICIENT ECONOMIC COMMITMENTS, EVEN THOUGH ECONOMIC AID HAD NOT BEEN EXPLICITLY LINKED TO SIGNATURE OF THE TEXT IN THE ROME TALKS. QUAI, NEVERTHELESS, HAS NO DOUBT THAT THE "GUARANTORS" AND OTHERS WILL HAVE TO COME UP WITH SUFFICIENT ECONOMIC COMMITMENTS BY APRIL 1, 1979 -- WHEN THE TEXTS AS NOW DRAFTED ARE TO GO INTO EFFECT -- IF THEY EXPECT MINTOFF TO SIGN.

6. AS TO AMOUNTS MALTA VISUALIZES, AND THE STEPS FRENCH AND ITALIANS MIGHT TAKE TO RAISE THEM, PLAISANT REMAINED VAGUE AND EVASIVE -- BEYOND A FLEETING REFERENCE TO THE 30 MILLION DOLLAR FIGURE MINTOFF REPORTEDLY MENTIONED A YEAR OR SO AGO. PLAISANT HAS THE

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AMEMBASSY ALGIERS
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IMPRESSION MINTOFF EXPECTS WESTERN COUNTRIES AND ARABS
TO SPLIT AID ON 50-50 BASIS. AMONG LATTER LIBYANS,
ALGERIANS AND PERHAPS TUNISIANS WOULD BE CONTRIBUTORS.
AS FOR WESTERN CONTRIBUTORS, PLAISANT SAID, THE QUESTION
WOULD OF COURSE BE DISCUSSED AMONG THE NINE. PARIS
HOPES THAT BONN WOULD BE FORTHCOMING AND PARTICULARLY
EXPECTED THE ITALIANS AND PERHAPS SPAIN TO MAKE CONTRI-
BUTIONS. FRANCE'S OWN CONTRIBUTION, IN ANY CASE WOULD
REMAIN MODEST. ALTHOUGH QUAI IS NOW DISCUSSING ISSUE
WITH FINANCE AND OTHER ECONOMIC MINISTRIES NO DECISIONS
HAVE AS YET BEEN REACHED. IN THIS CONNECTION, PLAISANT
WAS NOT EVEN CLEAR WHETHER ONE-TIME COMMITMENTS WOULD
BE INVOLVED, OR WHETHER THE FOUR-YEAR TIME LIMIT PRO-
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POSED IN THE TEXT MIGHT SUGGEST THAT MINTOFF WOULD TRY TO EXACT MORE OR LESS PERPETUAL OR RECURRING PAYMENTS.

7. THROUGHOUT THIS EXCHANGE PLAISANT WAS CAREFUL NOT TO MAKE ANY ALLUSIONS TO OR REQUEST FOR A US CONTRIBUTION, ALTHOUGH HE HINTED AT THE DESIRABILITY OF US "RE-EVALUATION" OF OUR POLICIES IN MALTA IN LIGHT OF SITUATION WHICH THE ROME TEXTS CREATE IN POTENTIALLT SAFEGUARDING WESTERN INTERESTS. TO REINFORCE POINT, PLAISANT EMPHASIZED THAT IF MINTOFF'S ECONOMIC NEEDS WERE NOT MET, EXISTENCE OF AD REFERENDUM TEXTS WILL NOT PRECLUDE POSSIBILITY THAT HE MIGHT STILL OFFER MALTA'S PORT FACILITIES TO THE SOVIETS, WHO WERE CURRENTLY INCREASINGLY ACTIVE IN VALLETTA.

8. IN RESPONSE, EMBOFF FIRMLY REITERATED STANDARD US POSITION ON MALTA AID, ADDING THAT HE WOULD OF COURSE TRANSMIT PLAISANT'S OBSERVATIONS TO WASHINGTON IN FULL.

THE MALTESE DECLARATION

9. TURNING TO THE TEXTS, PLAISANT SAID THE MALTESE TEXT AND THE "GUARANTORS" TEXT WERE NEGOTIATED IN TANDEM, SINCE THE LATTER IS NECESSARILY A CLOSE COUNTERPART OF THE FORMER. IN BOTH MALTESE TRIED TO LARD IN REFERENCES TO "NON-ALIGNMENT." PROBLEM, IN PLAISANT'S VIEW, HAS BEEN RESOLVED -- EITHER BY ELIMINATING REFERENCES TO "NON-ALIGNMENT," REPLACING THEM WITH PHRASES SUCH AS "NEUTRALITY," OR DECOUPLING "NON-ALIGNMENT" WITH COMMAS. THUS, OF THE ORIGINAL FIVE REFERENCES TO NON-ALIGNMENT IN THE MALTESE TEXT, ONLY TWO "DECOUPLED" REFERENCES REMAIN.

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10. FOLLOWING IS REPRODUCTION OF EMBOFF'S NOTES OF KEY SECTIONS OF MALTESE DECLARATION WITH COMMENTS BY PLAISANT.

PARAGRAPH ONE, A POT POURRI OF PLATITUDES, DESCRIBES MALTA AS A "NEUTRAL STATE..., ADHERING TO A POLICY OF NON-ALIGNMENT,...".

11. PARAGRAPH 2, THE KEY PART OF THIS TEXT, STATES THAT

BEGIN QUOTE: SUCH (NEUTRAL) STATUS SIGNIFIES THAT

(A) THERE WILL BE NO FOREIGN MILITARY BASES
ON MALTA;

(B) NO MILITARY FACILITIES IN MALTA WILL BE
USED BY ANY FOREIGN FORCES EXCEPT AT THE RE-
QUEST OF THE GOVERNMENT OF MALTA AND SUBJECT
TO CONSULTATIONS WITH THE COUNTRIES MENTIONED
IN PARAGRAPH 3.

(I.) EXCEPTION IS MADE OF THE INHERENT
RIGHT OF SELF-DEFENSE IN CASE OF ARMED IN-
VASION OF THE TERRITORY OF THE REPUBLIC OF
MALTA BY FOREIGN MILITARY FORCES, AS WELL
AS IN CASES IN WHICH IT SHOULD BE NECES-
SARY TO PUT INTO ACTION MEASURES DECREED
BY THE SECURITY COUNCIL OF THE UN;

(II.) OR WHEN IT HAS BEEN ASCERTAINED
THROUGH THE ABOVE-MENTIONED CONSULTATIONS,
AND WITH AGREEMENT OF AT LEAST TWO OF THE
COUNTRIES ABOVE-MENTIONED, OF WHICH ONE
ARAB AND ONE A EUROPEAN COUNTRY, THAT

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FM AMEMBASSY PARIS

TO SECSTATE WASHDC PRIORITY 2756

INFO AMEMBASSY ROME PRIORITY

AMEMBASSY VALLETTA PRIORITY

AMEMBASSY ALGIERS
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THERE EXISTS A THREAT TO THE SOVEREIGNTY,
INDEPENDENCE, NEUTRALITY, UNITY OR TERRI-
TORIAL INTEGRITY OF THE REPUBLIC OF MALTA.

(C) NO OTHER FACILITIES IN MALTA WILL BE
ALLOWED TO BE USED IN SUCH MANNER OR EXTENT
AS WILL AMOUNT TO THE PRESENCE IN MALTA OF A
CONCENTRATION OF FOREIGN FORCES, EXCEPT AS
AFORESAID. END QUOTE.

(COMMENT: PLAISANT COMMENTED THAT
MALTA FIRST INSISTED THAT AN EXCEPTION
SHOULD PREVAIL WHENEVER MALTA CONSIDERED

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ITS SOVEREIGNTY THREATENED. THE FRENCH
AND ITALIANS RESISTED. RESULT WAS ABOVE
TEXT, WHICH SUBDIVIDES PROBLEM INTO
SITUATIONS INVOLVING OBVIOUS THREATS,
COVERED BY PARAGRAPH 2BI, AND LESS
OVBIOUS ONES COVERED BY 2BII. FRENCH
ALSO INTRODUCED IDEA THAT AT LEAST ONE
ARAB AND ONE EUROPEAN COUNTRY HAD TO
AGREE THAT THREAT EXISTED TO AVOID SITUA-
TIONS ARTIFICIALLY COOKED UP BY MALTESE
AND LIBYANS. WHILE COMPLICATED, AND
STILL NOT AIRTIGHT, PLAISANT SEEMED
SATISFIED THAT ABOVE WAS BEST WHICH
COULD BE OBTAINED. END COMMENT.)

RESUME QUOTE:

(D) NO FOREIGN MILITARY PERSONNEL WILL BE
STATIONED ON MALTA.

(E) MALTESE SHIPYARDS WILL BE USED FOR
CIVILIAN/COMMERCIAL PURPOSES, BUT ALSO MAY BE

USED, WITHIN REASONABLE LIMITS OF TIME AND QUANTITY, FOR THE REPAIR OF MILITARY VESSELS PREVIOUSLY PUT IN A STATE OF NON-COMBAT, OR FOR THE CONSTRUCTION OF VESSELS. IN ACCORDANCE WITH THE PRINCIPALS OF NON-ALIGNMENT, THE USE OF THE SHIPYARDS OF THE REPUBLIC OF MALTA WILL BE DENIED TO THE MILITARY VESSELS OF ALL COUNTRIES ADHERING TO LARGE MILITARY ALLIANCES. END QUOTE.

12. PARAGRAPH 3 OF TEXT REFERS TO "IDENTICAL" DECLARATIONS WHICH WILL BE OPEN FOR THE SIGNATURE OF "MEDITERRANEAN COUNTRIES."

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TIONS WHICH WILL BE OPEN FOR THE SIGNATURE OF "MEDITERRANEAN COUNTRIES."

(COMMENT: PLAISANT APPEARED TO RECOGNIZE THAT PARAGRAPH 2.E. DOES NOT COMPLETELY EXCLUDE SOVIET OR BLOC MILITARY VESSELS, SINCE THE REFERENCE TO MILITARY VESSELS IN A STATE OF "NON-COMBAT" IS NOT TECHNICALLY DEFINED. SIMILARLY, THE BY NOW FAMOUS REFERENCE TO MILITARY VESSELS ADHERING TO "LARGE MILITARY ALLIANCES" IS AMBIGUOUS, SINCE TEXT DOES NOT MAKE CLEAR IF VESSELS FROM MEMBERS OF OTHER ALLIANCES, I.E., CENTO, ARE INCLUDED. PLAISANT INSISTED, HOWEVER, THAT NEGOTIATORS WERE CLEAR IN THEIR INTENT THAT PHRASE APPLIED TO NATO AND WARSAW PACT MILITARY VESSELS ONLY. END COMMENT.)

THE "GUARANTORS' DECLARATION"

13. THE PRINCIPAL ISSUE WITH RESPECT TO "GUARANTORS' TEXT" WAS WHETHER ALL SIGNATORIES WOULD SIGN SAME TEXT OR WHETHER MODIFICATIONS COULD BE MADE TO SUIT INDIVIDUAL SIGNATORIES. FRENCH WERE CONCERNED THAT MINTOFF BE PREVENTED FROM TRANSFERRING LANGUAGE HE HAD HAD TO CONCEDE IN FRENCH-ITALIAN NEGOTIATIONS INTO OTHER (I.E., LIBYAN-ALGERIAN) TEXTS. THIS PRINCIPLE, TO WHICH MALTESE FINALLY AGREED, ALSO ASSURED THAT RIGHTS AND PRIVILEGES OF SIGNATORIES WITH RESPECT TO MALTA WILL BE IDENTICAL AND NOT VARY IN PROPORTION TO THE SIZE OF ECONOMIC CONTRIBUTIONS. SINCE FRENCH CONTRIBUTION WILL BE MODEST THIS WAS IMPORTANT HERE.

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14. OPENING FOUR PARAGRAPHS OF THIS TEXT MIRROR THE
MALTESE DECLARATION. THEY CONTAIN STATEMENTS OF HIGH-
FLOWN PRINCIPLE AND REFLECT, FROM SIGNATORIES' PER-
SPECTIVE, THE PROVISIONS OF PARAGRAPHS 2B, 2BI, AND
2BII.

15. THE HEART OF THIS TEXT BEGINS WITH PARAGRAPH 5.
IN IT SIGNATORY POWER

BEGIN QUOTE: WITHOUT PREJUDICE TO THE APPLICATION
OF ARTICLE 35 OF THE UN CHARTER, UNDERTAKES, IF
THE CASES INDICATED IN PARAGRAPH 2B OF THE MALTESE
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DECLARATION OCCUR, AND UNDER THE CONDITIONS RE-
SPECTIVELY INDICATED RELATING TO LETTERS "I" AND
"II" OF THE ABOVE PARAGRAPH, TO REFER TO OR
TO INFORM OF THE SITUATION THE SECURITY COUNCIL
OF THE UNITED NATIONS,

-- UNDERTAKES, MOREOVER, IN THE CASES AND UNDER THE CONDITIONS INDICATED IN THE PARAGRAPH ABOVE, TO TAKE, AT THE REQUEST OF THE GOVERNMENT OF MALTA, AND IF POSSIBLE IN AGREEMENT WITH THE ABOVE-MENTIONED STATES, ANY OTHER MEASURE WHICH IT WILL DEEM APPROPRIATE TO FACE THE SITUATION. END QUOTE.

(COMMENT: PLAISANT SAID MALTESE FIRST INSISTED THAT LAST SENTENCE OF THE ABOVE TEXT COMMIT "GUARANTORS" TO QUOTE MEASURES NECESSARY TO CURB...UNQUOTE. THE FRENCH INSISTED ON ABOVE MUCH LESS BINDING TEXT.

RESUME QUOTE: IN THE CASE OF SELF-DEFENSE AND UNDER THE CONDITIONS ENVISAGED IN ARTICLE 51 OF THE UN CHARTER (THE SIGNATOR) (MAY/WILL) ALSO TAKE, AT THE REQUEST OF THE GOVERNMENT OF MALTA AND FOLLOWING URGENT CONSULTATION IN ACCORDANCE WITH PROCEDURES OF PARAGRAPH FOUR ABOVE (NOTE: THE COUNTERPART 2BI AND II IN THE MALTESE DECLARATION. END NOTE.) ANY MEASURE, NOT EXCLUDING MEASURES OF MILITARY ASSISTANCE WHICH IT WILL DEEM NECESSARY. END QUOTE.

(COMMENT: PLAISANT NOTED THAT THE "IT" OF CONFIDENTIAL

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COURSE PRESERVES THE "GUARANTORS" FREEDOM OF ACTION. END COMMENT.)

16. PARAGRAPH 6 PROVIDES THAT, IF CONDITIONS IN MALTA R
CHANGE THE SIGNATORY, AFTER CONSULTATION, HAS THE RIGHT TO WITHDRAW FROM THIS ARRANGEMENT.

17. PARAGRAPH 7 PROVIDES THAT THE DOCUMENT IS VALID FOUR YEARS FROM THE DATE OF SIGNATURE.

18. PARAGRAPH 8 PROVIDES THAT THE EFFECTIVE DATE OF THE DOCUMENT IS APRIL 1, 1979, PROVIDED AT LEAST TWO OTHER MEDITERRANEAN COUNTRIES HAVE, BY THAT TIME, MADE IDENTICAL DECLARATIONS.
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